

★ REBEL ARCHIVE

WAR DEPARTMENT

[HOUSE BILL.]

A BILL

To be entitled An Act to facilitate the detection of frauds by the disbursing officers of the Government, with the view to the discovery of frauds and peculations upon the Government, and facilitate the conviction of offenders, under existing or future laws.

1 SECTION 1. *The Congress of the Confederate States of America do*
2 *enact*, That every disbursing officer of the Government, and every
3 one hereafter appointed, shall, before entering upon the duties of
4 his office, make out, in duplicate, a schedule or inventory, setting
5 forth, under oath duly administered, all the property of
6 which he was, or may be, seized or possessed, at the time of his
7 appointment, with a description thereof, one of which duplicates
8 shall be filed in the office of the Secretary of the Treasury, and
9 the other in the office of the District Court of the Confederate
10 States, where he resides, or resided at the time of his appointment;
11 and should any person make a wilful misstatement in the
12 execution of such schedule or inventory, he shall be deemed guilty
13 of false swearing, and, upon conviction thereof, be subject to a
14 fine of not less than one thousand dollars, nor more than ten
15 thousand dollars, and imprisonment for not less than one year,

16 nor more than ten years; and in the trial of any officer, or in
 17 any suit or prosecution against any officer based upon alleged
 18 frauds or peculations upon the Government, ownership by the
 19 defendant of other property, money or effects, not set forth in
 20 such schedule or inventory, and not the natural increase or accu-
 21 mulation of or from property set forth therein, shall be held to
 22 be presumptive evidence against him.

1 SEC. 2. Collateral proof may be adduced by the Government,
 2 to establish the incorrectness or falsity of the schedule before
 3 mentioned; and all the overplus of property which any of said
 4 officials may be found to possess beyond the amount possessed at
 5 the time of their induction into office, and for which they cannot
 6 satisfactorily account, so as to show clearly that such overplus did
 7 not accrue from the use or employment of Government funds, shall
 8 be recognized as the property of the Government, and be subject
 9 to be seized and disposed of for, and on account of the Govern-
 10 ment. The District Court of the district in which the party may
 11 reside, or in which the schedule is required to be filed under this
 12 act, shall have jurisdiction to condemn the property of such party
 13 as hereinbefore provided to be seized, for the use of the Govern-
 14 ment.

1 SEC. 3. In all cases where prosecutions, under this act, shall
 2 have been commenced at the instance of any one giving informa-
 3 tion of the violation thereof, and becoming the prosecutor of the

4 alleged culprit, said prosecutor shall be entitled to one-fourth of
5 the whole amount which shall be seized, and condemned by the
6 Government, as hereinbefore provided.

1 Sec. 4. Offences, under this act, may be prosecuted in any Dis-
2 trict Court of the Confederate States, or any court of the State,
3 county, parish or district, having jurisdiction of such offences.

1 Sec. 5. The schedule required by the first section of this act,
2 or a certified copy thereof, shall be received in evidence, on a
3 trial of any of the offences enumerated in this act.

1 Sec. 6. All disbursing officers who shall fail, or refuse to fill
2 the schedule required by this act, for twenty days after being re-
3 quired to do so, which requirement shall be made by the chief of
4 the department from which he holds his commission, shall be sub-
5 ject to a fine of one thousand dollars, and enrolled under the con-
6 scription acts now in force; and in all cases where such failure
7 or refusal shall occur, it shall be competent for the Government
8 to introduce other evidence, to ascertain the property possessed
9 by the officer so failing to furnish a schedule, at the time of his
10 induction into office.

